



General Assembly

## ***Amendment***

***February Session, 2016***

**LCO No. 4989**



Offered by:  
SEN. HWANG, 28<sup>th</sup> Dist.

To: Senate Bill No. **382**

File No. 329

Cal. No. 230

### ***"AN ACT CONCERNING TEACHER PREPARATION PROGRAMS."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 53a-61aa of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2016*):

5 (a) A person is guilty of threatening in the first degree when such  
6 person (1) (A) threatens to commit any crime involving the use of a  
7 hazardous substance with the intent to terrorize another person, to  
8 cause evacuation of a building, place of assembly or facility of public  
9 transportation or otherwise to cause serious public inconvenience, or  
10 (B) threatens to commit such crime in reckless disregard of the risk of  
11 causing such terror, evacuation or inconvenience; (2) (A) threatens to  
12 commit any crime of violence with the intent to cause evacuation of a  
13 building, place of assembly or facility of public transportation or  
14 otherwise to cause serious public inconvenience, or (B) threatens to  
15 commit such crime in reckless disregard of the risk of causing such

16 evacuation or inconvenience; [or] (3) commits threatening in the  
17 second degree as provided in section 53a-62, as amended by this act,  
18 and in the commission of such offense [he] such person uses or is  
19 armed with and threatens the use of or displays or represents by [his]  
20 such person's words or conduct that [he] such person possesses a  
21 pistol, revolver, shotgun, rifle, machine gun or other firearm; or (4)  
22 violates subdivision (1) or (2) of this subsection with the intent to cause  
23 an evacuation of a building or the grounds of a public or nonpublic  
24 preschool, school or institution of higher education during preschool,  
25 school or instructional hours or when a building or the grounds of  
26 such preschool, school or institution are being used for preschool,  
27 school or institution-sponsored activities. No person shall be found  
28 guilty of threatening in the first degree under subdivision (3) of this  
29 subsection and threatening in the second degree upon the same  
30 transaction but such person may be charged and prosecuted for both  
31 such offenses upon the same information.

32 (b) For the purposes of this section, "hazardous substance" means  
33 any physical, chemical, biological or radiological substance or matter  
34 which, because of its quantity, concentration or physical, chemical or  
35 infectious characteristics, may cause or significantly contribute to an  
36 increase in mortality or an increase in serious irreversible or  
37 incapacitating reversible illness, or pose a substantial present or  
38 potential hazard to human health.

39 (c) Threatening in the first degree is a class D felony, except that a  
40 violation of subdivision (4) of subsection (a) of this section is a class C  
41 felony.

42 Sec. 502. Section 53a-62 of the general statutes is repealed and the  
43 following is substituted in lieu thereof (*Effective October 1, 2016*):

44 (a) A person is guilty of threatening in the second degree when: (1)  
45 By physical threat, such person intentionally places or attempts to  
46 place another person in fear of imminent serious physical injury, (2)  
47 (A) such person threatens to commit any crime of violence with the

48 intent to terrorize another person, or [(3)] (B) such person threatens to  
49 commit such crime of violence in reckless disregard of the risk of  
50 causing such terror, or (3) violates subdivision (1) or (2) of this  
51 subsection and the person threatened is in a building or on the  
52 grounds of a public or nonpublic preschool, school or institution of  
53 higher education during preschool, school or instructional hours or  
54 when a building or the grounds of such preschool, school or institution  
55 are being used for preschool, school or institution-sponsored activities.

56 (b) Threatening in the second degree is a class A misdemeanor,  
57 except that a violation of subdivision (3) of subsection (a) of this  
58 section is a class D felony.

59 Sec. 503. (NEW) (*Effective October 1, 2016*) The Board of Pardons and  
60 Paroles shall grant an absolute pardon to any person who applies for  
61 such pardon with respect to a conviction of a violation of subdivision  
62 (4) of subsection (a) of section 53a-61aa of the general statutes, as  
63 amended by this act, or subdivision (3) of subsection (a) of section 53a-  
64 62 of the general statutes, as amended by this act, if (1) such person  
65 committed such offense prior to attaining the age of eighteen years, (2)  
66 at least three years have elapsed from the date of such conviction or  
67 such person's discharge from the supervision of the court or the care of  
68 any institution or agency to which such person has been committed by  
69 the court, whichever is later, (3) such person has no subsequent  
70 juvenile proceeding or adult criminal proceeding that is pending, (4)  
71 such person has attained the age of eighteen years, and (5) such person  
72 has not been convicted as an adult of a felony or misdemeanor during  
73 the three-year period specified in subdivision (2) of this section.

74 Sec. 504. (NEW) (*Effective October 1, 2016*) Any individual who  
75 reports an act of threatening described in subdivision (4) of subsection  
76 (a) of section 53a-61aa of the general statutes, as amended by this act,  
77 shall have an absolute defense to any civil action brought as a result of  
78 having made such report, provided such individual exercised due care  
79 when making such report and at all times acted in good faith while  
80 making such report."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>October 1, 2016</i>	53a-61aa
Sec. 502	<i>October 1, 2016</i>	53a-62
Sec. 503	<i>October 1, 2016</i>	New section
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